

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

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In the Matter of:

Amendment of Section 73.606  
(b), Television Table of  
Assignments; Tazewell, TN

MM Docket No. 95-97

RM-8651

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TO THE COMMISSION:

**Comments on Notice of Proposed Rule Making**  
**to Modify Television Table of Assignments**

**Comes now James F. Stair, II, hereinafter {"Petitioner"} before the Federal Communications Commission with the submission of "Comments on Notice of Proposed Rule Making" {"NPR"} In the above captioned proceeding. The original petition and the NPR requests and proposes amendment of Section 73.606(b) of its rules and regulations so as to ADD Commercial Television Channel 48 to Tazewell, Tennessee. In support thereof, these Comments are hereby submitted:**

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**The original petition in this proceeding proposed to modify the TV table of assignments as follows:**

<b><u>City of License</u></b>	<b><u>Present</u></b>	<b><u>Proposed</u></b>
<b>Tazewell, TN</b>	<b>none</b>	<b>48</b>

**The "Notice of Proposed Rule Making" proposes to modify the TV Table of Assignments as follows:**

<b><u>City of License</u></b>	<b><u>Present</u></b>	<b><u>Proposed</u></b>
<b>Tazewell, TN</b>	<b>none</b>	<b>48+</b>
<b>Columbus, GA</b>	<b>3,9+,*28,38+, *48, 54+</b>	<b>3,9+,*28,38+, *48+, 54+</b>
<b>Greenwood, SC</b>	<b>*38, 48+</b>	<b>*38, 48</b>

**In conjunction with the addition of the assignment requested in Tazewell, TN, the Commission proposes to change the offset designations for Channel 48 allocations in Columbus, GA, and Greenwood, SC. The Petitioner agrees with this technical criteria and is in complete support thereof. Further, therein, the Commission states that "the public interest would be served by...the allotment of Channel 48 to Tazewell, TN, since it would provide the community with its first TV service". The Petitioner, also, supports this public interest finding and is in full agreement with this conclusion.**

**As a matter of oversight, the Petitioner neglected to state intentions relating to the allocation if granted. The Petitioner or a legal entity having the Petitioner as a principal partner or stockholder intends to promptly and timely apply for the Channel 48 allocation sought herein and by the original petition in this proceeding. If allotted. In the event that the channel is allocated and the Petitioner or a Petitioner entity is the eventual authorized licensee, Petitioner intends to build the station promptly.**

**The Petitioner herein incorporates by reference to the technical, media, and demographic data of the original petition in its entirety as Comments in this proceeding and continues to remain in support and belief of each premise and all submitted therein.**

**As is shown in the original Petition, Allocation Study, Television channel 48 may be allotted to Tazewell, TN consistent with all Commission spacing requirements and in compliance with the "Freeze" imposed in 52 Fed Reg 28346, July 29, 1987.**

### **In Recapitulation**

**Pursuant to Section 1.401 of the Rules of the Commission, the Petitioner herein respectfully reiterates the request looking toward the amendment of Section 73.606(b) of its rules and regulations so as to ADD**

**Commercial Television Channel 48+ to Tazewell, Tennessee with the additional proposed changes in Columbus, GA and Greenwood, SC. As shown the proposed allocation is in accordance with the Commission's Rules relating to such allocations and specifically in relation to Sections 73.610 and Table II, 73.698.**

**WHEREFORE, the premises fully considered and for the foregoing reasons of public interest, convenience, and necessity, it is respectfully requested that the Commission amend the Television Table of Assignments, Section 73.606{b} to ADD Channel 48+ to Tazewell, Tennessee as expeditiously as possible.**

**Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 1995.**

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**James F. Stair, II {"Petitioner"}  
2424 Bainbridge Way  
Powell, TN 37849**

# AFFIDAVIT

STATE OF TENNESSEE

COUNTY OF ANDERSON

James F. Stair, II having been first duly sworn and upon oath deposes and states that he has read the foregoing "Comments on Notice of Proposed Rule Making" and to the best of his knowledge, information, and belief, the aforementioned document is true and conforms to the rules and regulations of the Federal Communications Commission.

Further, James F. Stair, II hereby certifies that:

His qualifications in broadcast allocation matters in relation to Construction Permit and License Applications, petitions, allocations, and hearing proceedings are a matter of record before the Federal Communications Commission having been presented and accepted on many occasions over a period in excess of twenty (20) years;

That he holds a lifetime General Radiotelephone license, PG-6-9502, and has been associated with broadcast engineering matters since 1968.

That all accompanying technical reports and exhibits were developed by him personally or under his immediate supervision, or by a recognized and specified database service, and that all the information presented therein is true and correct to the best of his knowledge, conviction, and belief and complies with accepted engineering practice and policy and is in strict adherence to the Rules of the Federal Communications Commission.

/s/   
James F. Stair, II  
General License; PG-6-9502

Subscribed and sworn to before me this 16<sup>th</sup> day of August, 1995.

/s/   
Notary Public

My commission expires: 11-21-96